IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY SIXTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 1329 of 1997

Between:

Vanga Veeraswamy S/o.Veeramallu,Business, R/o.Keshavapatnam Village Shankarapatnam Mandal, Karimnagar Dist.

..... PETITIONER

AND

1. The Govt.of A.P Rep. by its Secretary for Home Dept Secretariat, Secretariat Buildings, Hyderabad.
2. The Director of General of Police,A.P Saifabad, Hyderabad.
3. The Superintendent of Police, Karimangar Dist.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to call for the records pertaining to the petitioners herein by issuing any writ, order or directions more particularly one in the nature of Writ of Mandamus or any other appropriate writ or direction and declare the action of the respondents herein charging the petitioners herein under sections 4 and 5 of the TADA Act in S.C.No.522 of 1996 on the file of the I Additional District and Sessions Judge at Karimnagar without prior approval or permission of the Higher Authorities before registering the case against the petitioners consequently direct the respondents herein to discharge the petitioners under sections 4 and 5 of the TADA Act,1987.

Counsel for the Petitioner:MR.I.LAXMIKANTHA RAO

Counsel for the Respondent No.: GP FOR HOME

The Court made the following :

ORDER :

It is represented that the charge sheet already had been filed. It is needless to say that all the grounds raised in the present Writ Petition may be raised as grounds of defence in the course of trial by the petitioner.

2. Except making this observation, no other relief can be granted in the present writ petition. An opportunity is given to the petitioner to raise these grounds as grounds of defence in the court of trial;

3. The writ petition is accordingly disposed of. No costs.

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P.S.NARAYANA,J

Dvs

Dated 26th November, 2004.

1. The Govt.of A.P Rep. by its Secretary for Home Dept
   Secretariat, Secretariat Buildings, Hyderabad.
2. The Director of General of Police,A.P Saifabad, Hyderabad.
3. The Superintendent of Police, Karimangar Dist.

THE HONOURABLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.1329 OF 1997

26th November, 2004